

**PUBLIC HEARING
PROPOSED SPECIAL USE PERMIT
AMBER GROVE
NEW WINDSOR TOWN HALL
APRIL 6, 2011 - 7:00 P.M.**

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Town Attorney Blythe, Police Lieutenant Farbent, Highway Superintendent Fayo

SALUTE TO FLAG

Supervisor Green called to order a public hearing regarding a proposed Special Use Permit for Amber Grove and the Town Clerk presented proof of publication as required by law.

Steve Esposito representing Esposito Associates, together with Travis Ewald of Pietrzak and Pfau Engineering and Jim Dittbrenner of Warwick Properties gave an overview of the Amber Grove project. Mr. Esposito explained that Amber Grove is a totally affordable senior housing project located at the intersection of Route 94 and Forge Hill Road with the entrance on Forge Hill Road. The project will consist of eighty-four units and one superintendent's apartment with approximately eighty-nine parking spaces. The building will have water and sewer services. Mr. Ewald said they have been before the Planning Board for some time and at the February meeting, the Planning Board issued a negative declaration under SEQR. There were some issues with the Palisades Park Commission which operates Knox's Headquarters which have been resolved. The building has been moved back, the parking lot narrowed and additional landscaping was added, they have also modified the gable end of the building to make it similar to the front of the building. If the special use permit is approved tonight, the next step is finalizing the site plan review with the Planning Board. Supervisor Green asked what the waiting list was like for senior housing and Mr. Dittbrenner replied that they have about two hundred thirty two applicants with one hundred fifty seven people actually qualified.

A resident said that the intersection of Route 94 and Forge Hill Road is a very busy one and he has some traffic concerns. He asked if that intersection could be added to the list with the DOT and the county for improvements. Supervisor Green said that as a member of the TIPS Committee, he knows it is not currently on any list. He said that he had the Police Department research that area for accidents and in the area of the proposed driveway, there have been no accidents reported. He said the town has been waiting for repairs for the Lake Road Bridge since the first time he was in office, but he would suggest it.

Hearing no one else wishing to speak, Supervisor Green entertained a motion to close the Public Hearing.

MOTION – CLOSE PUBLIC HEARING

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor close the Public Hearing in the matter of a Special Use Permit for totally affordable senior housing located at Route 94 and Forge Hill Road in the Town of New Windsor and commonly referred to as Amber Grove at 7:16 P.M.

Roll Call: All Ayes

Motion Carried: 5-0

MOTION – AUTHORIZE ISSUANCE OF A SPECIAL USE PERMIT

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopts the following resolution:

WHEREAS, an application was made to the Town Board of the Town of New Windsor for special use permit by Warwick Properties (the "applicant") for a project described as "Amber Grove Senior Housing" development to be located off New York State Route 94 and Forge Hill Road in Vail's Gate in the Town of New Windsor (the "action"); and

WHEREAS, the subject site consists of 5.0 acres of land more or less and is comprised of a portion of one tax map parcel in the Town of New Windsor identified as p/o section 37, block 1, lot 48 (p/o SBL 37-1-48) located at Route 94 and Forge Hill Road in the Town of New Windsor, New York; and

WHEREAS, the action involves a request for a special use permit and site plan approval for eight-four (84) one-bedroom housing units to be restricted as totally affordable senior housing, one caretaker's apartment and related site improvements pursuant to Town of New Windsor Town Code Sections 300-18 and 300-18.1; and

WHEREAS, the applicant has also applied to the Planning Board for site plan approval; and

WHEREAS, the proposed development is subject to the Town of New Windsor Town Code Section 300-18(J) setting forth the procedures applicable for senior citizen housing special use permits and is further subject to New Windsor Town Code Section 300-18.1 regarding totally affordable senior housing developments; and

WHEREAS, on May 5, 2010 the Town Board referred the application to the Planning Board for its consideration and report pursuant to Town Code Section 300-18(J)(3); and

WHEREAS, on February 16, 2011 the Planning Board issued its report in response to the Town Board's request, which report found that the proposed location is appropriate for a senior citizen housing

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development, given its location to nearby businesses in Vail's Gate, and further that there is a need for housing for senior citizens in the Town of New Windsor; and

WHEREAS, the Planning Board declared its intent to serve as lead agency under SEQRA on April 27, 2010, and recommended to the Town Board that any decision to issue or deny the special use permit be deferred until the Planning Board completes its SEQRA review; and

WHEREAS, the Planning Board conducted a coordinated SEQRA review, and, on February 9, 2011, adopted a negative declaration finding that there would be no significant adverse impacts associated with this action; and

WHEREAS, New York General Municipal Law Section 239 requires the referral of both the special use permit and site plan applications to the Orange County Planning Department ("OCPD") for its review and comment, which referral was made by letter dated April 27, 2010 and OCPD responded on May 7, 2010 recommending local determination and that the Planning Board proceed with its review process; and

WHEREAS, the Town Board now wishes to make certain determinations and grant the Special Use Permit;

NOW THEREFORE, the Town Board resolves as follows:

1. The Town Board hereby concurs with the Planning Board's SEQRA negative declaration for this action;
2. OCPD has received and reviewed the subdivision/special use permit/site plan with regard to Amber Grove and under its reply of May 7, 2010 cites no adverse comments, but has confirmed the need for affordable senior housing units in the Town of New Windsor as identified in the Three County Housing Needs Assessment.
3. The Town Board hereby grants a Special Use Permit to the applicant for an age-restricted senior housing development consisting of eighty-four (84) one-bedroom housing units to be permanently age-restricted as totally affordable senior housing, one caretaker's apartment and related site improvements pursuant to Town of New Windsor Town Code Sections 300-18 and 300-18.1, which approval is conditioned on the applicant's compliance with the requirements of the Town of New Windsor Town Code and the receipt of site plan approval from the Planning Board.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

**DEBORAH GREEN
TOWN CLERK**

/clc